

Application No.: OH0025461  
OEPA Permit No.: 1PM00001\*OD  
Public Notice No.: OEPA 18-11-052MOD

**National Pollutant Discharge Elimination System (NPDES) Permit Program**

**PUBLIC NOTICE**

**NPDES Permit Modification to Discharge to State Waters**

Ohio Environmental Protection Agency  
Lazarus Government Center  
50 West Town Street.  
P. O. Box 1049  
Columbus, Ohio 43216-1049  
(614) 644-2001

Public Notice No. OEPA 18-11-052MOD

Date of Issuance of Proposed Modification: November 20, 2018

Date of Public Notice: November 27, 2018

Effective Date of Modification: February 1, 2019(proposed)

Name and Address of Applicant: Hamilton County Commissioners, 1600 Gest Street ,  
Cincinnati, OH 45204

Name and Address of Facility where Discharge Occurs: Mill Creek WWTP, 1600 Gest St ,  
Cincinnati, OH, 45204 Hamilton County

Location of Discharge:	002	39 N 6 ' 1"	84 W 32 ' 47"
	004	39 N 6 ' 28"	84 W 32 ' 42"

Receiving Water: Ohio River / Mill Creek

Purpose of this Modification: Revised the text of the Interim Effluent Limitation Table header for Station 004 from six (6) months to fourteen (14) months to correct an errant effective duration of this Effluent Limitation Table on page 4; Revised the text of the Final Effluent Limitation Table header for Station 004 from six (6) months to fourteen (14) months to correct an errant effective date of this Final Effluent Limitation Table on page 5; Revised OAC rule citation in the note pertaining to effluent loadings, above Table Note a. Revised this citation from OAC 3745-33-05(C)(1)(c) to OAC 3745-33-05(C)(3)(c) to reference the proper paragraph of the effective rules on page 9; Part I. C - Schedule of Compliance, Items A.1 & A.2 - Revised each of these items to add Station 1PM00001004 on page 18; and, added a new condition to Part II - Other Requirements as requested in this modification request. This added condition is lettered as paragraph AD and addresses maximization of treatment for wet weather flows at the Mill Creek WWTP on page 33.

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The following statements apply to the modification.

On the basis of preliminary staff review and application of standards and regulations, the Director of the Ohio Environmental Protection Agency has issued a proposed modification for the aforementioned discharge subject to certain effluent conditions and special conditions. The proposed modification is tentative but shall become final on the effective date unless: 1) an adjudication hearing is requested, 2) the Director withdraws and revises the proposed modification after consideration of the record of a public meeting, written comments, or statements, or 3) upon disapproval by the administrator of the U.S. Environmental Protection Agency.

Within forty-five days of publication of this notice, any person may submit written comments, a statement as to why the proposed modification should be changed, a request for a public meeting on the proposed modification, and/or a request for notice of further actions concerning the modification. All communications timely received will be considered in the final formulation of the modification. If significant public interest is shown, a public meeting will be held prior to finalization of the modification.

*New or Revised Water Quality Based Effluent Limitations* This proposed modification may contain new or revised water quality based effluent limitation(s) (WQBELs). In accordance with Ohio Revised Code Section 6111.03(J)(3), the Director establishes WQBELs after considering, to the extent consistent with the Federal Water Pollution Control Act, evidence relating to the technical feasibility and economic reasonableness of removing the polluting properties from those wastes and to evidence relating to conditions calculated to result from that action and their relation to benefits to the people of the state and to accomplishment of the purposes of this chapter. This determination was made based on all pertinent data and information available to the Director at the time the modification was drafted.

This public notice hereby allows the permittee to provide to the Director for consideration during this public comment period, additional site-specific pertinent and factual information with respect to the technical feasibility and economic reasonableness for achieving compliance with any new or revised WQBEL(s). This information shall be submitted to the addresses listed below.

Should the applicant need additional time to review, obtain or develop site-specific pertinent and factual information with respect to the technical feasibility and economic reasonableness of achieving compliance with a new or revised WQBEL(s), written notification for any additional time shall be sent no later than 45 days after the date of this public notice to the Director at the addresses listed below.

Should the applicant determine that compliance with a new or revised WQBEL is technically and/or economically unattainable, the permittee may submit an application for a variance to the applicable WQBEL in accordance with the terms and conditions set forth in Ohio Administrative Code (OAC) Rule 3745-33-07(D) no later than 45 days after the date of this public notice to the addresses listed below.

Alternately, the applicant may propose the development of site-specific water quality standard(s) pursuant to OAC Rule 3745-1-35. The permittee shall submit written notification to the Director regarding their intent to develop site-specific water quality standards for the pollutant at issue to the addresses listed below no later than 30 days after the date of this public notice.

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Within 45 days of the issuance of the proposed modification, any officer or an agency of the state or of a political subdivision, acting in his representative capacity or any person aggrieved or adversely affected by issuance of it may request an adjudication hearing by submitting a written objection in accordance with Ohio Revised Code Section 3745.07. Following the finalization of the modification by the Director, any person who was a party to an adjudication hearing may appeal to the Environmental Review Appeals Commission.

All comments or statements on the proposed modification and all requests for notice of further actions should be submitted in person or by mail to: Ohio Environmental Protection Agency, Division of Surface Water, Lazarus Government Center, Permits Processing Unit, 50 West Town Street., P. O. Box 1049, Columbus, Ohio 43216-1049. Applications, fact sheets, proposed permits including proposed effluent limitations, special conditions, comments received, and other documents are available for inspection and may be copied at a cost of 5 cents per page at the Ohio Environmental Protection Agency at the above address any time between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Copies of public notices are available at no charge at the same address.

Individual NPDES draft permits that are in public notice are now available on DSW's web site: <http://www.epa.ohio.gov/dsw/permits/individuals/draftperm.aspx>

Requests for, and communications concerning, adjudication hearings and public meetings should be addressed to: Legal Records Section, Ohio Environmental Protection Agency, Lazarus Government Center, 50 West Town Street Ste 700, P. O. Box 1049, Columbus, Ohio 43266-0149, (614) 644-2115.

All communications should specify the OEPA permit number and public notice number.

Mailing lists are maintained for persons or groups who desire to receive public notice of proposed and final actions taken on applications for dischargers located in the state or in certain geographical areas. Persons or groups may have their names put on such a list by making a written request to the Permits Processing Unit. Persons or groups may also request copies of fact sheets, applications, or other documents pertaining to a specific application.

Application No. OH0025461

Modification Issue Date: November 20, 2018

Modification Effective Date: **PROPOSED**

Expiration Date: August 31, 2023

Ohio Environmental Protection Agency  
Authorization to Discharge Under the  
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Hamilton County Board of County Commissioners - Mill Creek WWTP

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Mill Creek Wastewater Treatment Plant wastewater treatment works located at 1600 Gest Street, Cincinnati, Ohio, Hamilton County and discharging to Ohio River and Mill Creek in accordance with the conditions specified in Parts I, II, and III of this modified permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

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Craig W. Butler  
Director

Total Pages: 46

## Part I, A. - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this modified permit and lasting until fourteen (14) months after the effective date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1PM00001002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Initial - 002 - Initial

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
31616 - Fecal Coliform - #/100 ml	-	-	2000	1000	-	-	-	1/Day	Grab	Winter
31616 - Fecal Coliform - #/100 ml	-	-	400	200	-	-	-	1/Day	Grab	Summer
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Day	Grab	Summer
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.33	-	-	-	-	-	-	1/Day	Multiple Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.0	-	-	-	-	-	1/Day	Continuous	All

Notes for station 1PM00001002:

a. E. coli and fecal coliform - On days when the permittee reports either E. coli or fecal coliform data for Station 1PM00001004 on the DMR for Station 1PM00001002 as instructed, the permittee shall enter "Discharge through station 004" in the Remarks Section. Compliance with weekly and monthly E. coli and fecal coliform limits will be determined at Station 1PM00001002.

b. E. coli - See Part I, C, Item A

c. Chlorine - See Part II, Item AC.

d. Biomonitoring - See Part II, Items Y and AC.

e. Summer is defined as May through October. Winter is defined as November through April.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning fourteen (14) months after the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1PM00001002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
31616 - Fecal Coliform - #/100 ml	-	-	2000	1000	-	-	-	1/Day	Grab	Winter
31648 - E. coli - #/100 ml	-	-	240	126	-	-	-	1/Day	Grab	Summer
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.33	-	-	-	-	-	-	1/Day	Multiple Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.0	-	-	-	-	-	1/Day	Continuous	All

Notes for station 1PM00001002:

a. E. coli and fecal coliform - On days when the permittee reports either E. coli or fecal coliform data for Station 1PM00001004 on the DMR for Station 1PM00001002 as instructed, the permittee shall enter "Discharge through station 004" in the Remarks Section. Compliance with weekly and monthly E. coli and fecal coliform limits will be determined at Station 1PM00001002.

b. Biomonitoring - See Part II, Items Y and AC.

c. Chlorine - See Part II, Item AC.

d. Summer is defined as May through October. Winter is defined as November through April.

Part I, A. - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date of this modified permit and lasting until fourteen (14) months after the effective date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1PM00001004. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 004 - Initial - 004 - Initial

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	When Disch.	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	When Disch.	Grab	Summer
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	Continuous	All
50060 - Chlorine, Total Residual - mg/l	-	-	-	-	-	-	-	When Disch.	Multiple Grab	All
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	When Disch.	Continuous	All
61942 - pH, Minimum - S.U.	-	6.0	-	-	-	-	-	When Disch.	Continuous	All

Notes for station 1PM00001004:

- a. Flow rate, total residual chlorine, and pH - These parameters shall be monitored and reported on each day that a discharge occurs through station 1PM00001004.
- b. E. coli - This parameter shall be monitored and reported on each day that a discharge occurs through station 1PM00001004 during summer months. The permittee shall report the daily E. coli data on the DMRs for Stations 1PM00001004 and 1PM00001002.
- c. Fecal Coliform - This parameter shall be monitored and reported on each day that a discharge occurs through station 1PM00001004. The permittee shall report the daily fecal coliform data on the DMRs for Stations 1PM00001004 and 1PM00001002. Compliance with weekly and monthly fecal coliform limits will be determined at station 1PM00001002.

- d. Chlorine - See Part I, C, Item B and Part II, Item AC.
- e. Summer is defined as May through October.
- f. If there is no discharge at this outfall during the reporting period select, the "No Discharge" check box on the data entry form and PIN the eDMR.



Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning fourteen (14) months after the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1PM00001004. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 004 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	When Disch.	Grab	Winter
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	When Disch.	Grab	Summer
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.33	-	-	-	-	-	-	When Disch.	Multiple Grab	All
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	When Disch.	Continuous	All
61942 - pH, Minimum - S.U.	-	6.0	-	-	-	-	-	When Disch.	Continuous	All

Notes for station 1PM00001004:

- Flow rate, total residual chlorine, and pH - These parameters shall be monitored and reported on each day that a discharge occurs through station 1PM00001004.
- E. coli - This parameter shall be monitored and reported on each day that a discharge occurs through station 1PM00001004 during summer months. The permittee shall report the daily E. coli data on the DMRs for Stations 1PM00001004 and 1PM00001002. Compliance with weekly and monthly E. coli limits will be determined at station 1PM00001002.
- Fecal Coliform - This parameter shall be monitored and reported on each day that a discharge occurs through station 1PM00001004 during winter months. The permittee shall report the daily fecal coliform data on the DMRs for Stations 1PM00001004 and 1PM00001002. Compliance with weekly and monthly fecal coliform limits will be determined at station 1PM00001002.

- d. Chlorine - See Part II, Item AC.
- e. Summer is defined as May through October. Winter is defined as November through April.
- f. If there is no discharge at this outfall during the reporting period select, the "No Discharge" check box on the data entry form and PIN the eDMR.

# Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

5. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 1PM00001604. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 604 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	-	-	45	30	-	28958	19305	1/Day	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	4/Week	24hr Composite	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	24hr Composite	All
00671 - Orthophosphate, Dissolved (as P) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01079 - Silver, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
51173 - Cyanide, Free (Low-Level) - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	40	25	-	25741	16088	1/Day	24hr Composite	All

NOTES for Station Number 1PM00001604:

\* Effluent loadings for TSS and CBOD5 are based on a wet weather flow of 170 MGD [OAC 3745-33-05(C)(3)(c)]. The average daily design flow of the WWTP is 130 MGD. Any increase in average design flow is subject to the provisions of the antidegradation rule (OAC 3745-1-05).

- a. Cadmium, chromium, lead, nickel, selenium, silver, and zinc - See Part II, Item K
- b. Copper - See Part II, Items K and AC.
- c. Dissolved hexavalent chromium - See Part II, Item L
- d. Free cyanide - See Part II, Items J, L and U
- e. Mercury - See Part II, Items J, L and V
- f. Orthophosphate - See Part II, Item W

## Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

1. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 1PM00001005, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 005 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Concentration Specified Units		Loading* kg/day					Measuring	Sampling	Monitoring
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Frequency	Type	Months
00051 - Bypass Occurrence - No./Day	-	-	-	-	-	-	-	When Disch.	24hr Total	All

Notes for Station Number 1PM00001005:

- a. A Discharge Monitoring Report (DMR) for this station must be submitted every month.
- b. If there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- c. Bypass Occurrence: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence: Report "1" on the first day of the discharge.
- d. Discharge through this station is prohibited. The Director may take enforcement action for violations of this prohibition unless the three conditions specified at 40 CFR 122.41(m) and in Part III, Item 11.C.1 of this permit are met.

## Part I, B. - SLUDGE MONITORING REQUIREMENTS

2. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 1PM00001585, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 585 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
01003 - Arsenic, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01013 - Beryllium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01029 - Chromium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
71921 - Mercury, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 1PM00001585:

a. Monitoring is required when sewage sludge is incinerated. The monitoring data shall be reported on monthly on each Discharge Monitoring Report (DMR).

b. If no sewage sludge is incinerated during the reporting period, select the "No Discharge" check box on the data entry form and PIN the eDMR.

c. See Part II, Items N, O, P, Q, R, and S.

## Part I, B. - INFLUENT MONITORING REQUIREMENTS

3. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 1PM00001602, in accordance with the following table. Samples must be taken the same day as the corresponding samples of effluent. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 602 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Day	24hr Composite	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	24hr Composite	All
00720 - Cyanide, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01079 - Silver, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1/Month	Grab	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	4/Week	24hr Composite	All

NOTES for Station Number 1PM00001602:

- a. Cadmium, chromium, copper, lead, nickel, selenium, silver, and zinc - See Part II, Item K
- b. Dissolved hexavalent chromium and total cyanide - See Part II, Item M
- c. Mercury - See Part II, Items M and V



Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

4. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 1PM00001603, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 603 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00051 - Bypass Occurrence - No./Day	-	-	-	-	-	-	-	When Disch.	24hr Total	All
00052 - Bypass Total Hours Per Day - Hrs/Day	-	-	-	-	-	-	-	When Disch.	24hr Total	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	24hr Composite	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	24hr Composite	All

Notes for Station Number 1PM00001603:

- A Discharge Monitoring Report (DMR) for this station must be submitted every month.
- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station.
- If there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- Bypass Occurrence: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence: Report "1" on the first day of the discharge.
- Discharge through this station is prohibited. The Director may take enforcement action for violations of this prohibition unless the three conditions specified at 40 CFR 122.41(m) and in Part III, Item 11.C.1 of this permit are met.
- See Part II, Item Z.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

5. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 1PM00001801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

<u>Effluent Characteristic</u>		<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
Parameter		Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
		Maximum	Minimum	Weekly	Monthly	Daily					
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected		-	-	-	-	-	-	-	2/Year	Grab	Semi-annual
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected		-	-	-	-	-	-	-	2/Year	Grab	Semi-annual

NOTES for Station Number 1PM00001801:

- Biomonitoring - See Part II, Item Y

## Part I, B. - UPSTREAM MONITORING REQUIREMENTS

6. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 1PM00001802, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 802 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Composite	Summer
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer

NOTES for Station Number 1PM00001802:

- Upstream monitoring shall be practiced only during the summer months to avoid sampling during unsafe winter river conditions.
- Composite samples shall be a series of representative grab samples collected laterally across the width of the Ohio River. Some reported results may be the average results of individual field measurements (i.e. - pH, dissolved oxygen, temperature).

Part I, B. - DOWNSTREAM-FARFIELD MONITORING REQUIREMENTS

7. Downstream-Farfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 1PM00001902, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Farfield Monitoring - 902 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Composite	Summer
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	Summer
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer

NOTES for Station Number 1PM00001902:

- a. Downstream monitoring shall be practiced only during the summer months to avoid sampling during unsafe winter river conditions.
- b. Composite samples shall be a series of representative grab samples collected laterally across the width of the Ohio River. Some reported results may be the average results of individual field measurements (i.e. - pH, dissolved oxygen, temperature).

## Part I, C - Schedule of Compliance

### A. E. Coli Effluent Limits

1. The permittee shall evaluate the ability of its existing treatment facilities to meet the final effluent limit for E. coli at Station 1PM00001002 and Station 1PM00001004.
2. The permittee shall attain compliance with the E. coli effluent limits listed in the final effluent table for Station 1PM00001002 and Station 1PM00001004 as expeditiously as possible, but no later than fourteen (14) months after the effective date of this permit. (Event code 05699)
3. The permittee may apply for a permit modification to revise this schedule if the permittee can demonstrate that compliance with final E. coli limits would result in violation of total residual chlorine limits. Such an application must include effluent data supporting the claim, a plan for complying with both limits, and an implementation schedule for said plan.

### B. Reserved

### C. Municipal Pretreatment Schedule

1. The permittee shall evaluate the adequacy of local industrial user limitations to prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW, pass through the POTW in amounts that exceed water quality standard-based limits, be incompatible with the POTW, or limit wastewater or sludge use options. Technical justification for revising local industrial user limitations to attain compliance with final table limits, along with a pretreatment program modification request, or technical justification for retaining existing local industrial user limitations shall be submitted to Ohio EPA, Central Office Pretreatment Unit and to Ohio EPA, Southwest District Office, as soon as possible, but no later than September 21, 2021. (Event Code 52599)

Technical justification is required for arsenic, beryllium, cadmium, total chromium, dissolved hexavalent chromium, copper, free cyanide, lead, mercury, nickel, selenium, silver, and zinc unless screening of wastewater and sludge indicate these pollutants are not present in significant amounts. Technical justification is also required for any other pollutants where a local limit may be necessary to protect against pass through, interference or sludge disposal.

To demonstrate technical justification for new local industrial user limits or justification for retaining existing limits, a local limits technical justification report shall be submitted to Ohio EPA. The report shall be consistent with the guidance, procedures and methodologies found in Ohio EPA's and USEPA's local limits guidance documents available at:

<http://epa.ohio.gov/dsw/pretreatment/guidance.aspx>.

The report shall include the following:

- a. Identification of and justification for pollutants of concern for which local limits will be developed.
- b. Treatment plant flow and industrial flows to which local limits will be applied. If the POTW is accepting any hauled waste include for each type of hauled waste (e.g. landfill leachate, septage), at least 5 data points detailing the dates and volumes of discharge and sampling results for all the pollutants of concern.
- c. Domestic/background concentrations. To determine domestic/background concentrations, the permittee shall, at a minimum, sample at three different locations for five consecutive days or two different locations for seven consecutive days. These locations shall, to the extent possible, convey only domestic wastewater.
- d. Treatment plant removal efficiencies. Whenever possible, site specific removal efficiencies shall be determined using actual plant data with analytical detection levels that are sensitive enough to provide values above the reporting level (RL) or practical quantification limit (PQL).
- e. A comparison of maximum allowable headworks loadings based on all applicable criteria. Criteria may include sludge disposal, NPDES permit limits, waste load allocation values, and interference with biological processes such as activated sludge, sludge digestion, nitrification, etc. Calculation tables can be found on the Ohio EPA website at:  
  
<http://www.epa.ohio.gov/dsw/pretreatment/guidance.aspx>.
- f. If revised industrial user discharge limits are proposed, the method of allocating available pollutant loads to industrial users.

g. If narrative or best management practices (BMPs) are proposed as local limits, information on how they will be implemented. When appropriate, industrial user discharge limits may include narrative local limits requiring industrial users to develop and implement BMPs. These narrative local limits may be used either alone or as a supplement to numeric limits.

h. Supporting data, assumptions, and methodologies used in establishing the information in item 1.a through 1.g above.

i. If new or revised industrial user discharge limits are proposed, the stamp and signature of a licensed Ohio professional engineer.

2. Revisions. The permittee shall submit a revised local limit technical justification report within 90 days of receiving notification from Ohio EPA of deficiencies in the submitted report.

3. If revisions to local industrial user limitations including best management practices are determined to be necessary, the permittee shall incorporate revised local industrial user limitations in all industrial user control documents, as applicable, no later than 4 months after the date of Ohio EPA's approval.

#### 4. Sampling Methods

a. Mercury: If the permittee uses EPA Method 245.1 or 245.2 to sample domestic background locations and mercury concentrations are below detection, the permittee shall use EPA method 1631 or 245.7 to quantify domestic background contributions of mercury.

b. Free Cyanide: The permittee shall use ASTM D7237 or OIA-1677-09 - flow injection followed by gas diffusion amperometry to quantify domestic background contributions of free cyanide.

## Part II, Other Requirements

### A. Operator Certification Requirements

#### 1. Classification

- a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility at this facility shall be classified as a Class IV facility.
- b. All sewerage (collection) systems that are tributary to this treatment works are Class II sewerage systems in accordance with paragraph (B)(1)(a) of rule 3745-7-04 of the Ohio Administrative Code.
- c. In accordance with OAC 3745-7-04 (D), the Director of Ohio EPA has determined that SSO 700 STF facility is not a Class I treatment works and is not required to meet all Class I requirements but is required to have a Class I operator of record.

#### 2. Operator of Record

- a. The permittee shall designate one or more operator of record to oversee the technical operation of the treatment works and sewerage (collection) system in accordance with paragraph (A)(2) of rule 3745-7-02 of the Ohio Administrative Code.
- b. Each operator of record shall have a valid certification of a class equal to or greater than the classification of the treatment works as defined in Part II, Item A.1 of this NPDES permit.
- c. Within three days of a change in an operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

<http://epa.ohio.gov/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf>

- d. Within 60 days of the effective date of this permit, the permittee shall notify the Director of Ohio EPA of the operators of record on a form acceptable to Ohio EPA.
- e. The operator of record for a class II, III, or IV treatment works or class II sewerage system may be replaced by a backup operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency.
- f. Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.



### 3. Minimum Staffing Requirements

- a. The permittee shall ensure that the treatment works operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.
- b. Sewerage (collection) system Operators of Record are not required to meet minimum staffing requirements in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.
- c. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (such as enforcement status, history of noncompliance, or provisions included in the plan) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.
- d. SSO 700 STF is not required to meet the minimum staffing requirements of (C)(1) of rule 3745-7-04 of the Ohio Administrative Code instead the requirements in Part II, A.4. will apply.

### 4. SSO 700 STF Requirements

- a. The permittee shall designate one or more operator(s) of record to oversee the technical operation of SSO 700 STF. The designated operator of record shall have a valid certification of Class I or greater.
- b. The permittee shall ensure that the operator of record for SSO 700 STF is physically present at the facilities after becoming aware of a discharge occurrence. The visit shall last as long as necessary to protect human health and welfare. When discharge is not occurring, the operator of record shall visit the facility at least once every two weeks.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
1PM00001002	Final effluent to Ohio River, combined flows of 603 and 604 (Lat: 39 N 6 ' 1 " ; Long: 84 W 32 ' 47 " )
1PM00001004	Final effluent to Mill Creek, used when Ohio River stage is elevated; combined flows of 603 and 604 (Lat: 39 N 6 ' 8 " ; Long: 84 W 32 ' 42 " )
1PM00001005	Influent bypass (H-gate)
1PM00001585	Sludge disposal via incineration
1PM00001586	Sludge disposal via landfill
1PM00001602	Influent monitoring
1PM00001603	Secondary treatment bypass
1PM00001604	Secondary treatment effluent, prior to combining with 603
1PM00001801	Ohio River, upstream monitoring station, outside of zone of effluent/receiving water interaction
1PM00001802	Ohio River, upstream monitoring station, mile 471.0
1PM00001902	Ohio River, downstream monitoring station, mile 473.9

C. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

D. Sanitary Sewer Overflow (SSO) Reporting Requirements

A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. All SSOs are prohibited. Reporting of SSOs shall be in accordance with the requirements of the Consent Decree under which this facility's collection system is covered.

E. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

F. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the sewage flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

G. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

H. Multiple grab samples shall be comprised of at least three grab samples collected at intervals of at least three hours during the period that the plant is staffed on each day for sampling. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance. The critical value shall be reported.

I. The treatment works must obtain at least 85 percent removal of carbonaceous biochemical oxygen demand (five-day) and suspended solids (see Part III, Item 1).

J. Tracking of Group 4 Parameters

A preliminary effluent limit (PEL) has been provided below for parameters with a projected effluent quality (PEQ) equivalent to or exceeding seventy-five percent of the PEL. In accordance with rule 3745-33-07(A)(2) of the Ohio Administrative Code, the permittee must report in writing, any effluent concentration sample result greater than the PEL values listed below to Ohio EPA, Southwest District Office. Written notification must be submitted within 30 days of an effluent concentration sample result that exceeds the PEL and must detail the reasons why the PEL has been exceeded and the expectation of continued levels above the PEL.

Parameter	Units	Maximum PEL	Average PEL
Free Cyanide	mg/L	0.031	0.033
Mercury	ng/L	1700	12

The permittee shall reduce discharge levels to below the PEL if either of the following conditions are met:

1. The maximum detected concentration per month is greater than the maximum PEL for four or more months during any consecutive six month period; or
2. The thirty-day average for any pollutant is greater than the average PEL for two or more months during any consecutive six month period; and

If the permittee cannot reduce discharge levels below the PEL within six months after either of conditions 1 or 2 above are met, the permittee may request to modify the permit to contain a compliance schedule. This request shall contain justification for the additional time necessary to reduce discharge levels.

K. Sampling for these parameters at station 1PM00001602 and 1PM00001604 shall occur the same day.

L. Sampling at station 1PM00001604 for these parameters shall occur one detention time (the time it takes for a volume of water to travel through the treatment plant) after sampling at station 1PM00001602 for the same parameters on the same day.

M. Sampling at station 1PM00001602 for these parameters shall occur one detention time (the time it takes for a volume of water to travel through the treatment plant) prior to sampling at station 1PM00001604 for the same parameters on the same day.

N. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code and any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

O. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the facility's sewage sludge.

P. No later than March 1 of each calendar year, the Permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

Q. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring and the weight calculations shall be maintained on site for a minimum of five years. The test methodology used shall be from Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation, using the edition which is current on the issuance date of the permit. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge:  $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$ .

R. The Permittee is authorized to dispose of sewage sludge in a sanitary landfill in emergency situations only. Station 586 for disposal in a sanitary landfill is included in the authorized list of stations in Part II, Item B of this permit, however, effluent tables are not included in Part 1.B. If this station must be used in an emergency situation, the Permittee must report the total amount of sludge taken to a landfill on the Permittee's Annual Sludge Report. The Discharge Monitoring Report (DMR) should not be used to report under this paragraph.

S. The permittee shall notify the Ohio EPA Southwest District Office Division of Solid and Infectious Waste Management at least 60 days prior to disposing of incinerator ash from the Mill Creek plant site. If the permittee is going to close the incinerator ash lagoon after proper disposal of the ash, it shall submit a Permit to Install application for the closure to the Ohio EPA Southwest District Office Division of Surface for approval by the Director. Detailed plans and specifications must accompany the PTI application. An approved PTI must be obtained prior to closure of the existing lagoon site.

T. POTWs that accept hazardous wastes by truck, rail, or dedicated pipeline are considered to be hazardous waste treatment, storage, and disposal facilities (TSDFs) and are subject to regulation under the Resource Conservation and Recovery Act (RCRA). Under the "permit-by-rule" regulation found at 40 CFR 270.60(c), a POTW must:

- 1) comply with all conditions of its NPDES permit,
- 2) obtain a RCRA ID number and comply with certain manifest and reporting requirements under RCRA,
- 3) satisfy corrective action requirements, and
- 4) meet all federal, state, and local pretreatment requirements.

#### U. Monitoring for Free Cyanide

This permit no longer authorizes the use of method 4500 CN-I from Standard Methods for free cyanide testing. Currently there are two approved methods for free cyanide listed in 40 CFR 136 that have a quantification level lower than any water quality-based effluent limits: ASTM D7237-10 and OIA-1677-09. The permittee shall begin using one of these approved methods as soon as possible. If you must use method 4500 CN-I during the transition to an approved method, report the results on your DMR and enter "Method 4500 CN-I" in the remarks section.

#### V. Monitoring for Mercury

The permittee shall use either EPA Method 1631 or EPA Method 245.7 promulgated under 40 CFR 136 to comply with the influent and effluent mercury monitoring requirements of this permit.

#### W. Monitoring for Dissolved Orthophosphate

The permittee shall monitor for dissolved orthophosphate by grab sample. The permittee shall filter the grab sample within 15 minutes of collection using a 0.45-micron filter. The filtered sample must be analyzed within 48 hours. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance.

## X. Outfall Signage

The permittee shall maintain a permanent sign on the stream bank at each outfall that is regulated under this NPDES permit. This includes final outfalls and bypasses. The sign shall include, at a minimum, the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The sign shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. When an existing sign is replaced or reset, the new sign shall comply with the requirements of this section.

## Y. Biomonitoring Program Requirements

The permittee shall continue an effluent biomonitoring program to determine the toxicity of the effluent from outfall 1PM00001002.

### General Requirements

All toxicity testing conducted as required by this permit shall be done in accordance with "Reporting and Testing Guidance for Biomonitoring Required by the Ohio Environmental Protection Agency" (hereinafter, the "biomonitoring guidance"), Ohio EPA, July 1998 (or current revision). The Standard Operating Procedures (SOP) or verification of SOP submittal, as described in Section 1.B. of the biomonitoring guidance shall be submitted no later than three months after the effective date of this permit. If the laboratory performing the testing has modified its protocols, a new SOP is required.

### Testing Requirements

#### 1. Acute Bioassays

For the life of the permit, the permittee shall conduct semi-annual definitive acute toxicity tests using *Ceriodaphnia dubia* and fathead minnows (*Pimephales promelas*) on effluent samples from outfall 1PM00001002. These tests shall be conducted as specified in Section 2 of the biomonitoring guidance.

#### 2. Testing of Ambient Water

In conjunction with the acute toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 1PM100001801. Testing of ambient waters shall be done in accordance with Section 2 of the biomonitoring guidance.

### 3. Data Review

#### a. Reporting

Following completion of each semi-annual bioassay requirement, the permittee shall report results of the tests in accordance with Sections 2.H.1. and 2.H.2.a., of the biomonitoring guidance, including reporting the results on the monthly DMR and submitting a copy of the complete test report to Ohio EPA, Division of Surface Water. The test report may be submitted electronically using the acute NPDES Biomonitoring Report Form available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, the permittee may submit a hard copy of the report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

Based on Ohio EPA's evaluation of the results, this permit may be modified to require additional biomonitoring, require a toxicity reduction evaluation, and/or contain whole effluent toxicity limits.

#### b. Definitions

TUa = Acute Toxicity Units = 100/LC50

Z. The wastewater treatment plant shall always be operated to maximize the treatment of wet weather flows before bypassing through station 1PM00001603. Bypassing (including bypassing through station 1PM00001603) is prohibited, and the Director may take enforcement action for violations of this prohibition unless the three conditions specified at 40 CFR 122.41(m) and in Part III, Item 11.C.1 of this permit are met.

AA. The permittee shall evaluate the structural integrity of the outfall diffuser for station 1PM00001002 on a once per year basis. Any cracks in the pipe or other deficiencies should be noted and repaired immediately, as the use of a functional diffuser was a factor when calculating the water quality-based limitations at monitoring station 1PM00001604. All inspections and repairs shall be documented within the log book for the Operator of Record and shall be available upon request by Ohio EPA.

#### AB. Pretreatment Program Requirements

The permittee's pretreatment program initially approved on May 21, 1986 and all subsequent modifications approved before the effective date of this permit, shall be an enforceable term and condition of this permit.

To ensure that the approved program is implemented in accordance with 40 CFR 403, Chapter 3745-3 of Ohio Administrative Code and Chapter 6111 of the Ohio Revised Code, the permittee shall comply with the following conditions:

## 1. Legal Authority

The permittee shall adopt and maintain legal authority which enables it to fully implement and enforce all aspects of its approved pretreatment program including the identification and characterization of industrial sources, issuance of control documents, compliance monitoring and reporting, and enforcement. The permittee shall establish agreements with all contributing jurisdictions, as necessary, to enable the permittee to fulfill its requirements with respect to industrial users discharging to its system.

## 2. Funding

The permittee shall have sufficient resources and qualified personnel to fully implement all aspects of its approved pretreatment program.

## 3. Industrial User Inventory

The permittee shall identify all industrial users subject to pretreatment standards and requirements and characterize the nature and volume of pollutants in their wastewater. Dischargers determined to be Significant Industrial Users according to OAC 3745-3-01(FF) must be notified of applicable pretreatment standards and requirements within 30 days of making such a determination. This inventory shall be updated at a frequency to ensure proper identification and characterization of industrial users.

## 4. Slug Load Control Plans for Significant Industrial Users

The permittee shall evaluate the need for a plan, device or structure to control a potential slug discharge at least once during the term of each significant industrial user's control mechanism. Existing significant industrial users shall be evaluated within one year of the effective date of this permit if the users have never been evaluated. New industrial users identified as significant industrial users shall be evaluated within one year of being identified as a significant industrial user.



## 5. Local Limits

The permittee shall develop and enforce technically based local limits to prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW, pass through the treatment works, be incompatible with the treatment works, or limit wastewater or sludge use options.

The permittee shall use the following waste load allocation values when evaluating local limits for the following pollutants for which a final effluent limit has not been established:

Arsenic	487 ug/L
Beryllium	107 ug/L
Cadmium	8.5 ug/l
Chromium, hexavalent	21 ug/l
Chromium, total	685 ug/l
Copper	59 ug/l
Free Cyanide	0.031 mg/l
Lead	52 ug/l
Mercury	12 ug/l
Nickel	402 ug/l
Selenium	29 ug/l
Silver	3.6 ug/l
Zinc	207 ug/l

For the purpose of periodically reevaluating local limits, the permittee shall implement and maintain a sampling program to characterize pollutant contribution to the POTW from industrial and residential sources and to determine pollutant removal efficiencies through the POTW. The permittee shall continue to review and develop local limits as necessary.

6. Control Mechanisms The permittee shall issue control mechanisms to all industries determined to be Significant Industrial Users as define in OAC 3745-3-01(FF). Control mechanisms must meet at least the minimum requirements of OAC-3745-3-03(C)(1)(c).

## 7. Industrial Compliance Monitoring

The permittee shall sample and inspect industrial users in accordance with the approved program or approved modifications, including inspection and sampling of all significant industrial users at least annually. Sample collection, preservation and analysis must be performed in accordance with procedures in 40 CFR 136 and with sufficient care to produce evidence admissible in judicial enforcement proceedings.

The permittee shall also require, receive, and review self-monitoring and other industrial user reports when necessary to determine compliance with pretreatment standards and requirements. If the permittee performs sampling and analysis in lieu of an industrial user's self-monitoring, the permittee shall perform repeat sampling and analysis within 30 days of becoming aware of a permit violation, unless the permittee notifies the user of the violation and requires the user to perform the repeat analysis and reporting.

## 8. POTW Priority Pollutant Monitoring

The permittee shall annually monitor priority pollutants, as defined by U.S. EPA, in the POTW's influent, effluent and sludge. Sample collection, preservation, and analysis shall be performed using U.S. EPA approved methods.

a. A sample of the influent and the effluent shall be collected when industrial discharges are occurring at normal to maximum levels. Sampling of the influent shall be done prior to any recycle streams and sampling of the effluent shall be after disinfection. Both samples shall be collected on the same day or, alternately, the effluent sample may be collected following the influent sample by approximately the retention time of the POTW.

Sampling of sludge shall be representative of sludge removed to final disposal. A minimum of one grab sample shall be taken during actual sludge removal and disposal unless the POTW uses more than one disposal option. If multiple disposal options are used, the POTW shall collect a composite of grab samples from all disposal practices which are proportional to the annual flows to each type of disposal.

b. A reasonable attempt shall be made to identify and quantify additional constituents (excluding priority pollutants and unsubstituted aliphatic compounds) at each sample location. Identification of additional peaks more than ten times higher than the adjacent background noise on the total ion plots (reconstructed gas chromatograms) shall be attempted through the use of U.S. EPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be based on an order of magnitude estimate compared with an internal standard.

The results of these samples must be submitted on Ohio EPA Form 4221 with the permittee's annual pretreatment report. Samples may be collected at any time during the 12 months preceding the due date of the annual report and may be used to fulfill other NPDES monitoring requirements where applicable.

## 9. Enforcement

The permittee shall investigate all instances of noncompliance with pretreatment standards and requirements and take timely, appropriate, and effective enforcement action to resolve the noncompliance in accordance with the permittee's approved enforcement response plan.

On or prior to April 15th of each year, the permittee shall publish, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the permittee, a list of industrial users which, during the previous 12 months, have been in Significant Noncompliance [OAC 3745-3-03(C)(2)(h)] with applicable pretreatment standards or requirements.

## 10. Reporting

All reports required under this section shall be submitted either through Ohio EPA's eBusiness Center or by mail. The Ohio EPA eBusiness Center can be found in the link: <https://ebiz.epa.ohio.gov/login.html>

If submitting hardcopies by mail, reports shall be sent to the following address in duplicate:

Ohio Environmental Protection Agency  
Division of Surface Water  
Pretreatment Unit  
P.O. Box 1049  
Columbus, OH 43216-1049

### a. Quarterly Industrial User Violation Report

On or prior to the 15th day of January, April, July, and October, the permittee shall report the industrial users that are in violation of applicable pretreatment standards during the previous quarter. The report shall be prepared in accordance with guidance provided by Ohio EPA and shall include a description of all industrial user violations and corrective actions taken to resolve the violations.

### b. Annual Pretreatment Report

On or prior to April 15th of each year, the permittee shall submit an annual report on the effectiveness of the pretreatment program. The report shall be prepared in accordance with guidance provided by Ohio EPA and shall include, but not be limited to: a discussion of program effectiveness; and industrial user inventory; a description of the permittee's monitoring program; a description of any pass through or interference incidents; a copy of the annual publication of industries in Significant Noncompliance; and, priority pollutant monitoring results.

## 12. Program Modifications

Any proposed modifications of the approved pretreatment program must be submitted to Ohio EPA for review, on forms available from Ohio EPA and consistent with guidance provided by Ohio EPA. If the modification is deemed to be substantial, prior approval must be obtained before implementation; otherwise, the modification is considered to be effective 45 days after the date of application. Substantial program modifications include, among other things, changes to the POTW's legal authority, industrial user control mechanisms, local limits, confidentiality procedures, or monitoring frequencies.

### Storm Water Compliance

To comply with industrial storm water regulations, the permittee submitted a form for "No Exposure Certification" which was signed on December 16, 2014. The certification number is 1GRN00650\*EG. Compliance with the industrial storm water regulations must be re-affirmed every five years. No later than December 16, 2019, the permittee must submit a new form for "No Exposure Certification" or make other provisions to comply with the industrial storm water regulations.

AC. Should Mill Creek WWTP wish to continue using dilution factors for future waste load allocations, in particular for acute toxicity, chlorine, and copper, a new mixing zone analysis or study must be completed prior to the renewal of this permit and submitted with the renewal application.

AD. The wastewater treatment plant shall always be operated to maximize the treatment of wet weather flows before bypassing through station 1PM00001603 and 1PM00001005. As specified in the effluent limitations and monitoring requirements for Stations 1PM00001603 and 1PM00001005 in Part I of this permit, bypassing is prohibited. The Director may take enforcement action for violations of this prohibition unless three conditions specified in 40 CFR 122.41(m) and Part III - General Conditions, Item 11.C.1 of this permit are met.

Maximization of the treatment of wet weather flows shall be based upon the June of 1989 "Definition of Treatment Plant Flow Capacity" report, the June of 2015 "Revised Operating Plan" and/or any subsequent revisions to the operating plan. The goal of wet weather operations is to maximize the primary and secondary treatment of wet weather flows before bypassing through station 1PM00001603, the internal secondary bypass.

During wet weather, the permittee shall follow the operating procedures with the understanding revisions to this plan are appropriate whenever operating experiences at the plant demonstrate improved or additional procedures. Such improved or additional procedures can change over time due to staff experience and facility improvements. Hence, the Permittee shall revise this plan as necessary and shall maintain a record of such revisions to the operating plan.

Operating the wastewater treatment plant in accordance with the above procedures is not, in and of itself, in compliance with the bypass provisions of 40 CFR 122.41(m) and Part III- General Conditions, Item 11 of this permit.

## PART III - GENERAL CONDITIONS

### 1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "not greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

## 2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

## 3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

#### 4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<http://epa.ohio.gov/dsw/edmr/eDMR.aspx>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency  
Lazarus Government Center  
Division of Surface Water - PCU  
P.O. Box 1049  
Columbus, Ohio 43216-1049



D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

#### 5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

#### 6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

#### 7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

## 8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

## 9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

## 10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

## 11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

### B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

### C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

## 12. NONCOMPLIANCE NOTIFICATION

### A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us  
Southwest District Office: swdo24hournpdes@epa.state.oh.us  
Northwest District Office: nwdo24hournpdes@epa.state.oh.us  
Northeast District Office: nedo24hournpdes@epa.state.oh.us  
Central District Office: cdo24hournpdes@epa.state.oh.us  
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330  
Southwest District Office: (800) 686-8930  
Northwest District Office: (800) 686-6930  
Northeast District Office: (800) 686-6330  
Central District Office: (800) 686-2330  
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

**B. Other Permit Violations**

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us  
Southwest District Office: swdo24hournpdes@epa.state.oh.us  
Northwest District Office: nwdo24hournpdes@epa.state.oh.us  
Northeast District Office: nedo24hournpdes@epa.state.oh.us  
Central District Office: cdo24hournpdes@epa.state.oh.us  
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.ohio.gov/dsw/permits/permits.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330  
Southwest District Office: (800) 686-8930  
Northwest District Office: (800) 686-6930  
Northeast District Office: (800) 686-6330  
Central District Office: (800) 686-2330  
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
  - b. The time(s) at which the discharge occurred, and was discovered;
  - c. The approximate amount and the characteristics of the discharge;
  - d. The stream(s) affected by the discharge;
  - e. The circumstances which created the discharge;
  - f. The name and telephone number of the person(s) who have knowledge of these circumstances;
  - g. What remedial steps are being taken; and,
  - h. The name and telephone number of the person(s) responsible for such remedial steps.
2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.
- C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
- D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
1. The compliance event which has been or will be violated;
  2. The cause of the violation;
  3. The remedial action being taken;
  4. The probable date by which compliance will occur; and,
  5. The probability of complying with subsequent and final events as scheduled.
- E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
- F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

#### 13. RESERVED

#### 14. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

## 15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

## 16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

## 17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

## 18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

## 19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

## 20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

## 21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

## 22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

### 23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

### 24. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

### 25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

### 26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

### 27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

### 28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

### 29. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.



30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.